

MINUTES
PAGE COUNTY BOARD OF SUPERVISORS
WORK SESSION
SEPTEMBER 7, 2010

All Members Present: Johnny Woodward, Chairman, At-Large
 Robert Griffith, District 1
 Larry A. Sours, District 2
 J. D. Cave, District 3
 Darrell Short, District 4
 Jeff Vaughan, District 5

Staff Present: William Rolfe, Interim County Administrator
 George Shanks, County Attorney
 Wes Shifflett, Coordinator of Fire/EMS
 Regina Miller, Executive Secretary

Media & Others Present: Kevin Seabrooke, *Page News & Courier*
 15 County Employees & Citizens

Call to Order:

Chairman Johnny Woodward called to order the work session of the Page County Board of Supervisors on September 7, 2010 at 7:00 p.m. in the Board of Supervisors Room, located in the Courthouse, noting a quorum was present.

Update from the Chamber Business Committee:

Jon Phillips informed the Board that the Chamber of Commerce, over the past two years, has worked well at perfecting the tourism and cabin rental business. Now, they feel they should move forward and look at things to provide business for this County. He said that the County needs a new economic influx of business, other than tourism and agriculture. In looking at businesses who are members of the Chamber, the shelf life of the ordinary small business seems to be about two years. The Chamber feels there is not enough support to keep the businesses viable and they are looking at what they can do to put together some additional incentives and information. One concern is that when speaking with people in business they do not seem to have the direction they need. For example, People Incorporated has money available for small business and it is easy to acquire, but people are afraid because they do not understand the process and this is an asset that is not being fully utilized at this time, so the Chamber formed an Economic Business Committee. Currently, there are no incentive programs available in the County to entice people to move here. There is a challenge that can be met if we all work together. We first need to decide to put together a program for business. He said the committee wants to work with the Board and they want suggestions or ideas from them.

Supervisor Vaughan commented that the County needs to define what areas they want to market to attract business. There are currently businesses in the County that are

challenged to remain here because of taxes. He said we need to be competitive with our neighboring counties. He suggested that a business incubator is a good idea to help grow entities from within the County.

Update on Rescue Services in Shenandoah:

Wes Shifflett, Coordinator of Fire/EMS, reported that he recently met with a group in the Shenandoah area to advise them on the EMS training that is available and how they can become involved with the County. Ten of the people in attendance are certified EMT's or above, one is within the reentry status, eleven are certified with EVOC (emergency vehicle operator's course) to drive an ambulance, and two are advanced life support providers. He informed these individuals that they can begin volunteering within the County while they are working to establish an agency. He said that he has conducted all the necessary background checks through the Virginia State Police on these individuals. At this point, the volunteers can ride with the career personnel that are in the Shenandoah area in order to become familiar with the new Rockingham Memorial Hospital. He noted that some of the volunteers are members of the former Shenandoah Rescue Squad that are willing to help, but several are new members. All of these people live within the Shenandoah response area. It is his intent to have the volunteers begin carrying a majority of the shifts beginning October 1. In identifying areas where the volunteers need more training, he said he has scheduled a CPR class as well as an emergency vehicle operator's course to be held within the next 30 days. He highlighted that he is not involved with the volunteers as they work through the process of establishing an agency; he is, however, only involved with them in working to provide volunteer coverage in the Shenandoah area. The volunteers will use the County's ambulance to provide EMS services until their agency is established.

After discussion, the Board directed Mr. Shanks to forward a letter to the former squad's representatives and inquire about donating the equipment to a new volunteer agency.

Notification of Emergency Disasters:

Supervisor Cave asked Mr. Shifflett what he is doing with regard to notification of disasters, most recently Hurricane Earl. He said he, and all the other Supervisors, received an email from a citizen about future notifications and they were asked to follow-up with this.

Mr. Shifflett indicated that last Wednesday he sent out an email about the storm pointing out that it was not planned to strike Page County. He said this was sent to all department heads, as well as everyone who was in the email list serve. Supervisor Short indicated that he did not receive the email from Mr. Shifflett last week regarding Hurricane Earl.

Mr. Rolfe added that he is tied into the notifications given by the National Hurricane Center and he said this hurricane was never on a path to come anywhere near Page County. If it had been, all the appropriate notices would have been sent out. Supervisor Cave then asked Mr. Rolfe to respond to the citizen's email on behalf of the Board.

Invoice for Audit of Shenandoah Rescue:

Chairman Woodward pointed out that the Board received a copy of an invoice to the Shenandoah Rescue Squad from Robinson, Farmer & Cox Associates for auditing the squad in the amount of \$3,000, which the squad forwarded to the County for payment.

Mr. Shanks explained that the squad's franchise agreement, which was executed by all signatories on March 18, 2010, provided that the County shall have the right to independently audit the records of receipt and expenditures of public funds by the squad, if deemed necessary. He said three things were required of the squad after the franchise agreement was executed, in order that they would be in compliance with it. By May 26, 2010, those three requirements had not been met and the Board notified the Shenandoah squad at that time that they were terminating the franchise agreement. The request for the audit remained outstanding, but they were already on notice that, as of three months from that date, they would no longer have a franchise. Their refusal to comply with the request of the Board of Supervisors to submit to the audit led to their termination. He said the expense of the audit is the responsibility of the squad.

Letter from James Zumwalt:

Chairman Woodward stated that he received a letter from James Zumwalt who applied and was interviewed for the Interim County Administrator position requesting reimbursement of lodging and mileage for his trip from Kentucky to the County for the interview. He stated that this was not discussed with Mr. Zumwalt, either by him or the Board and he asked the Board how they wanted to handle his request.

After discussion, the Board agreed not to reimburse Mr. Zumwalt for his expenses and to send a letter to inform him.

Department of Emergency Management Grant Resolution:

Mr. Rolfe indicated that the Board previously authorized the County's Emergency Services to apply for a grant for approximately \$35,000 and it was awarded. A letter was sent from the County accepting the grant, but the Board needs to adopt the Resolution from the Department of Emergency Management authorizing him to sign and accept the grant on behalf of the County. It was noted that the County has until the end of September to purchase the equipment and close out the grant.

Motion:

Supervisor Short moved that Mr. William C. Rolfe, Interim County Administrator, for the County of Page, is hereby authorized to execute for and on behalf of the named applicant public entity established under the laws of the State of Virginia, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted to the State of Virginia. Supervisors Sours seconded and the motion carried by a vote of 6-0. Aye: Griffith, Sours, Cave, Short, Vaughan, Woodward.

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#10-27

RESOLUTION

WHEREAS, the terms of the FY 2009 Emergency Management Performance Grant [EMPG] administered by the Virginia Department of Emergency Management require the recipient governing body to designate by resolution the name and official authorized to sign all necessary documents relating thereto on behalf of the County; and

WHEREAS, the Interim County Administrator is the appropriate individual to act on behalf of the County;

NOW, THEREFORE, BE RESOLVED by the Board of Supervisors of the County of Page, Virginia that WILLIAM C. ROLFE, Interim County Administrator, is hereby authorized to execute for and on behalf of the County of Page, Virginia, grant applicant, a public entity established under the laws of the Commonwealth of Virginia, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-grants through the Commonwealth of Virginia.

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Peddling & Soliciting License Fee:

Mr. Rolfe explained that when the Board adopted the amendments to Section 91 of the County Code, the Board did not establish a fee for the license. The Sheriff and Treasurer met and suggested that the Board establish a non-returnable application fee of \$20 in order to recover all the costs. He suggested this be placed on the agenda for the meeting on September 21st for action.

Discussion of County IT and Email System:

Mr. Rolfe reported that Valley Automation has been reviewing the computer systems and the server that is hosting the County's email system is on the verge of crashing anytime. Several of the licenses and programs are not up to date and the cost to update it will be \$22,000, not including labor. The Sheriff's Office email system has been transferred off-site and they are using a private entity to host it. The County can be added onto it for approximately \$185.00 per month amounting to approximately \$2,000 for the rest of this fiscal year. He recommended that the Board allow a private entity to host the email system and would prefer not to wait two weeks for the Board to take action on this due to the urgency.

Motion:

Supervisor Vaughan moved to authorize the Interim County Administrator to proceed with this email function county-wide. Supervisor Cave seconded and the motion carried by a vote of 6-0. Aye: Griffith, Sours, Cave, Short, Vaughan, Woodward.

Discussion then ensued regarding the information technology system. Mr. Rolfe informed the Board that he reserved the County's right to change the maintenance on the AS/400 system. He noted that the contract with IBM was setup to automatically renew for another three years for system maintenance through them. He said that he

gave IBM the required 30 days notice that the County may change vendors for the maintenance. IBM has many partners that will perform the maintenance through a third party vendor, which costs less. He noted that he will proceed with the proper procurement to obtain three proposals, but this looks like an opportunity to save a significant amount of funds by making the switch.

Route 340 Bridge MOA:

Mr. Rolfe explained that he received an email from the Department of Transportation (VDOT) with regard to the 2004 Memorandum of Agreement (MOA) for replacement of the Route 340 bridge over Overall Run. Apparently, VDOT previously agreed to leave the existing bridge in place and use the funds designated for its demolition to rehabilitate the bridge for pedestrian use. However, the funds previously designated are no longer sufficient to accomplish all the necessary work to make the bridge safe. As a result, VDOT met informally on site with representatives from the Virginia Department of Historic Resources and Scenic 340 Project, Inc. to discuss alternatives. Since it is the bridge's deck arch truss that makes it significant for engineering, the most feasible alternative that was advanced was to remove the concrete approach spans and decking and leave only the metal truss span in place for viewing. VDOT is requesting the Board review the draft amended MOA and provide any comments to them by September 15th.

Landfill:

Mr. Rolfe indicated that he has spoke with both landfill engineering firms, Draper Aden and SCS Engineers, about their current work. He noted that SCS is performing most of the work at the Battle Creek Landfill and he suggested that they attend an upcoming Board work session to give a presentation on the work they are performing and to bring the Board up to date on the issues at the landfill.

After discussion, it was the consensus of the Board to request SCS to make a presentation to the Board at the October 5th work session.

Discussion of the Stanley Library Closing:

Supervisor Cave remarked that the letter received from the Massanutten Regional Library, dated August 19, 2010, stipulates that because of budget constraints, the Stanley Library is due to close on September 15, 2010. The Regional Library requested financial assistance from the County this fiscal year in the amount of \$171,363, but were funded \$138,600. When they made their budget request they indicated that if they did not receive the funding they needed it could mean a reduction in hours or possible closures. Unfortunately, a possible closure is the case. He stated that after speaking with Amity Moler, Finance/HR Director, the County does not have a contingency fund to pull from to keep the library open. He said he is told that the library needs about \$60,000 in order to remain open. He noted that he would like for the library to remain open but is unsure of how the County can assist in the cause.

Chairman Woodward commented that the hours at the Luray library will be extended, while the hours in Shenandoah are being reduced and Stanley will be closed altogether. He felt that this is not a fair evaluation of the libraries.

Supervisor Vaughan mentioned that when the library presented their budget they stated that they may reduce hours or close branches in the less active libraries. Stanley likely had the least amount of activity, and unfortunately was tapped for closure. He said the Board is not in a position to do anything.

Supervisor Sours stated that the monthly activity at Stanley is low, compared to Luray and Shenandoah. Unfortunately, the Board had to make budgetary reductions that affected people. He said he would like to be able to find the funds to keep the library open, but if the Board does, then it will result in less funding somewhere else. If the closure is due to low activity, then they are making the necessary decision.

Supervisor Vaughan said the message to the Stanley Town Council and the Regional Library is that the Board has finalized the fiscal year budget. He said the library may need to be restructured to find out the true needs of the community.

Supervisor Short suggested that maybe the Town could evaluate this and maybe the library could become more of a computer center than a library.

Revise Sign Ordinance:

Supervisor Vaughan suggested that the Board should begin discussing amendments to the sign ordinance. Amendments to the sign ordinance were presented to the Board several months ago and the Board did not like the ordinance as drafted and delayed action. He recommended that the ordinance be condensed and become more user friendly. He felt that the new ordinance needs to include sign technology in an effort to promote business.

Supervisor Cave agreed that the County could do a better job with sign regulations.

Mr. Shanks pointed out that the Board has a recommendation from the Planning Commission for substantial revisions to the County Code on signage. It was noted that the Board held a public hearing on the ordinance amendments in April but no action was taken. Since the Board has held a public hearing, Mr. Rolfe stated that the Board can amend the ordinance as they see fit. He then provided the Supervisors with copies of the current sign ordinance and asked them to mark-up sections for the Board to discuss.

Review of EDA By-laws and Recent EDA Action:

Supervisor Cave remarked that Article II, Section 3, of the Economic Development Authority (EDA) by-laws addresses vacancies. He said that his appointee to the EDA is David Tong, who has been in ill health for several months and was not at the June, July or August meeting. According to this Section of the by-laws, it appears that there is a vacancy on the Authority. It states, "...when any Director has missed three consecutive

Board meetings, the Director will be considered inactive. The Chairman of the Board of Directors shall notify the Chairman of the board of Supervisors of the absences and that the Director has been inactive, and request that a replacement be assigned.” He wished Mr. Tong the best, but said if he is not able to attend the meetings, then District 3 is not being served. Does a vacancy currently exist on the EDA?

Lowell Baughan, Chairman of the EDA, explained that at the July 20th meeting of the Authority, they passed a motion to grant Mr. Tong a medical leave for compassionate reasons. As far as the Authority is concerned, there is no prohibition in their by-laws for this. He said Mr. Tong has not been able to attend the meetings because of neglect. Nor has he been unable to attend because of dereliction of duty. He has been a valuable member, and until this condition, he has not missed a meeting. The Authority felt that, due to his condition, they should grant him a leave of absence so that his absences will not count against his attendance. He said that Mr. Tong is the victim of a recent surgical mishap that almost cost him his life. At the time of the June meeting, he was unable to attend the meeting because he was in a coma. During the July meeting, he was unable to attend because he was in the Intensive Care Unit at the University of Virginia Medical Center unable to talk, swallow, and being fed through a tube. At the time of the August meeting, he requested that he be able to attend the meeting by cell phone so he could keep himself abreast, knowing he could not vote nor participate. Because of the Code of Virginia, they were not permitted to honor his request. The Authority’s concern is that a man should not be kicked when he is down or should not be removed from office because of a serious medical condition. Mr. Tong plans to attend the meeting on September 16th. The Authority has not classified him as absent and he does not report him as absent. The Board of Supervisors has the right to replace any member of the Authority who does not participate in three consecutive meetings. He urged the Board to use discretion in this matter citing that Mr. Tong has been an extremely valuable member of the Authority and is looking forward to coming back. He reminded the Board that Mr. Tong is owner of a company that is probably the only foreseeable prospect to bring any job opportunities into this County.

Chairman Woodward then asked Mr. Baughan for a report on the status of Premier Technical Services’ data center. Mr. Baughan reported that as far as he is aware they are working on their financing. At the last EDA meeting, Premier requested an additional extension of time as well as an opportunity to purchase an additional 15 acres, which indicates to him they are getting very close and are planning on bigger things than they initially projected. Chairman Woodward stated that the County is getting ready to lose a \$700,000 grant by the end of this year if action has not taken place on this project.

Supervisor Cave thanked Mr. Baughan for attending the meeting and informing the Board on Mr. Tong’s condition. Since a vacancy does not exist on the EDA, he asked Mr. Baughan to give Mr. Tong the Board’s regards and wished him a speedy recovery.

Subdivision Issues in District 5:

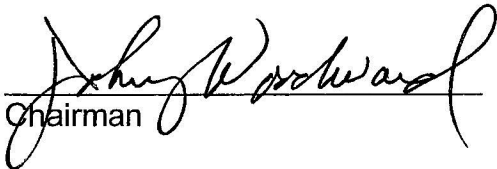
Supervisor Vaughan indicated that there are two private subdivisions, in District 5, with disgruntled citizens who reside within them. One is the Land of Shenandoah subdivision. From Route 683 (River Road) to the west side of the railroad trestle there is a right-of-way and he asked who is responsible for maintaining the right-of-way. In addition, there is a deteriorating culvert through the entrance to the subdivision and the condition of the road from the west side from the railroad area to Route 683 is in bad condition. He asked for clarification on who takes care of these matters.

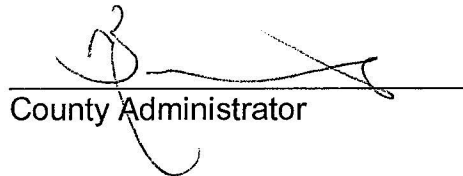
The second issue is with another subdivision. There is a disgruntled lady in this area who is upset with the President of the subdivision because of the maintenance fees the residents pay and nothing gets done. The citizens in this area have asked him what their tax dollars are paying for.

Mr. Shanks suggested that there is a way for the landowners of these subdivisions to petition the County to be put on VDOT's secondary six-year road plan to have their road brought into the state system. He said VDOT's process is in place for this to be accomplished. There is not much the County can do about a private right-of-way.

Adjourn: 9:19 p.m.

With no further business, Chairman Woodward adjourned the meeting.


Chairman


County Administrator